

**APPROVED MINUTES\***  
**SUNNYVALE CITY COUNCIL**  
**TUESDAY, APRIL 7, 2009**

**7 P.M. COUNCIL MEETING**

**CALL TO ORDER**

**SALUTE TO THE FLAG**

Mayor Spitaleri led the salute to the flag.

**ROLL CALL**

**PRESENT:**

Mayor Anthony Spitaleri  
Vice Mayor Christopher Moylan  
Councilmember John Howe  
Councilmember Ron Swegles  
Councilmember Melinda Hamilton  
Councilmember David Whittum  
Councilmember Dean J. Chu

**ABSENT:**

None

**STAFF PRESENT:**

City Manager Gary Luebbers  
Assistant City Manager Robert Walker  
City Attorney David Kahn  
Director of Community Development Hanson Hom  
Director of Finance Mary Bradley  
Planning Officer Trudi Ryan  
Interim City Clerk Katherine Bradshaw Chappellear

**SPECIAL ORDER OF THE DAY – Recognition of National Library Week**

**PUBLIC ANNOUNCEMENTS**

Councilmember Swegles announced the Boards and Commissions application deadline is 5 p.m. Friday, April 17, 2009, for summer appointments. General eligibility requirements include Sunnyvale residency and voter registration. For more information go to: [BoardsAndCommissions.inSunnyvale.com](http://BoardsAndCommissions.inSunnyvale.com) or contact Office of the City Clerk at (408) 730-7595.

Councilmember Swegles announced the inaugural Challenge Bicycle Ride, which is a moderate 26-mile, family-oriented bike ride through the cities of Mountain View, Los Altos, Los Altos Hills and Sunnyvale. There will be designated stops for refreshments and prizes along the way. The ride is designed to show community support and collaboration for children's health, education and welfare, while promoting healthy family activities. The event is free, but required registration begins at 8 a.m. on May 3 at the El Camino YMCA, with the ride starting at 9 a.m. For more information, please visit [www.challengebicycleride.org](http://www.challengebicycleride.org).

Councilmember Swegles noted the Earth Day Community Conversation on Climate Change will be held Wednesday, April 22, 2009, from 6:30 p.m. to 8:30 p.m., in City Hall Council Chambers. A panel discussion by local and regional business leaders will address new and emerging green

technologies. This event is registered with ICLEI's National Conversation on Climate Change at [www.climateconversation.org](http://www.climateconversation.org), and will be taped for future playback on KSUN. For more information, call Dustin Clark, Environmental Sustainability Coordinator, at (408) 730-2783 and R.S.V.P. by e-mail to [dclark@ci.sunnyvale.ca.us](mailto:dclark@ci.sunnyvale.ca.us).

### **CONSENT CALENDAR**

MOTION: Vice Mayor Moylan moved, and Councilmember Swegles seconded, to approve the Consent Calendar, including Revised Draft Minutes for Items 1.A. and 1.B. as provided on the dais.

VOTE: 7-0

- 1.A. Approval of Council Meeting Minutes of January 27, 2009
- 1.B. Approval of Council Meeting Minutes of February 3, 2009
- 1.C. Approval of Council Meeting Minutes of February 10, 2009
- 1.D. Approval of Information/Action Items – Council Directions to Staff

### **Fiscal Items**

- 1.E. RTC 09-087 List of Claims and Bills Approved for Payment by the City Manager – List Nos. 446 and 447

Staff Recommendation: Council reviews the attached lists of bills.

- 1.F. RTC 09-083 Payment for Santa Clara County Crime Lab Services

Staff Recommendation: Alternative No.1 – Council approves payment of \$133,132 to the Santa Clara County Office of the District Attorney for crime lab services.

- 1.G. RESOLUTION Resolution Amending the Fee Schedule for Public Safety Parking  
RTC 09-084 Penalties

Staff Recommendation: Alternative No.1 – Council adopts the resolution amending the fee schedule for Public Safety parking penalties.

- 1.H. RTC 09-091 Amendment of Outside Counsel Agreement for Fair Oaks Affordable Senior Housing Matters

Staff Recommendation: Council approves a second amendment to increase the contract with the law firm of Stein & Lubin LLP in an amount not to exceed \$140,000.

### **Contracts**

- 1.I. RTC 09-088 Authorization to Modify an Existing Contract for Miscellaneous Piping Supplies (F0803-59)

Staff Recommendation: Council authorizes modification of an existing contract with Roberts & Brune Co., in substantially the same form as the attached draft change order, by shortening the contract end date to June 30, 2009, and increasing the not-to-exceed amount by \$124,000, from \$376,000 to \$500,000, for the purchase of miscellaneous piping supplies.

**Other**

- 1.J. RESOLUTION      Adoption of Amended Resolution to Authorize the City of Sunnyvale to  
RTC-070              Receive Federal and State Criminal History Information for Specific  
                             People who are Licensed or Permitted through the Department of Public  
                             Safety to Work in the City

Staff Recommendation: Alternative No. 1: Adopt the amended resolution authorizing the City of Sunnyvale to access federal and state summary criminal history information for all people requesting a license or permit from the Department of Public Safety to operate specific businesses within the City of Sunnyvale.

**STAFF RESPONSES TO PRIOR PUBLIC COMMENTS**

None

**PUBLIC COMMENTS**

Jan Boehm welcomed the new city manager and wanted to hear his plans for the City's future, budget and financial status.

Boehm asked specific questions regarding: plans for Central Expressway as it relates to Sunnyvale's sustainability outlook, unnecessary expense of building a bridge and emphasizing the development of the Ellis Street entrance to Moffett Park, and the mandatory 15 percent water restriction.

Arthur Schwartz expressed disappointment that Sunnyvale did not participate in the worldwide "lights out" demonstration on Saturday, March 28, when other cities such as Mountain View, San Francisco and many others did.

Jeff Jones, Citizens Against Re-Zoning (CARZ), spoke about the Palo Alto Medical Foundation (PAMF) expansion plans. Jones thanked Council for participating in meetings with PAMF and for allowing their organization to voice their concerns to each Councilmember.

Peter Cirigliano, volunteer for the Sunnyvale Heritage Museum, commented on the lack of directional signage to the Sunnyvale Heritage Museum and suggested the City improve the Museum's signage to increase attendance.

**PUBLIC HEARINGS/GENERAL BUSINESS**

2.      RTC 09-092      2008-0117: Appeal by the applicant of a decision by the Planning Commission denying an application for a site located at 520 Carroll Street (at Bishop Ave.) in an R-0 (Low Density Residential) Zoning District. Variance from Sunnyvale Municipal Code section 19.46.140 to allow a parked recreational vehicle in the corner vision triangle

Planning Officer Trudi Ryan presented the staff report.

Councilmember Whittum said he understood the motive to be traffic safety; however, he pointed out the issue is a vehicle could be legally parked on the street and still make visibility worse.

Planning Officer Ryan commented should there be an issue where vehicles parked close to a corner, whether parked permanently or temporarily, the City has the ability to mark the curb that would limit or eliminate the parking.

Councilmember Whittum noted if the corner parking were eliminated, the resident would have to park elsewhere. Since the vehicle is 11 feet tall, it may obstruct someone else's vision.

Councilmember Whittum requested clarification of the vision triangle definition related to the street right-of-way. He noted the vision triangle is defined as the line connecting points along the front lot lines and refers to the intersection within the street right-of-way.

Planning Officer Ryan explained the typical right-of-way in Sunnyvale goes all the way to the backside of the sidewalk and all the way to the property line.

Based on Planning Officer Ryan's comment, Councilmember Whittum asserted there would be two property types in Sunnyvale: those where the property line goes to the inside of the sidewalk and others where the property line reaches the street.

Councilmember Whittum confirmed with Planning Officer Ryan the application of the vision triangle ordinance could, with respect to where cars park, result in some properties having larger vision triangles than others.

Councilmember Swegles noted a similar problem on Morse Avenue with large vehicles parking on the street. The City's solution was to post signage not allowing vehicles more than six feet in length to park in that location.

Public hearing opened: 7:31 p.m.

Cindy Jimenez (applicant) illustrated how her property did not create a safety problem coming and going from the streets in question.

Vice Mayor Moylan stated he visited the property and asked the applicant's opinion as to why Council should approve the variance, specifically how they would justify this variance not being a special privilege.

Mayor Spitaleri asked the applicant if she had met with the City to process the required permit for adding to the driveway.

Jimenez explained her husband called Planning, providing the address and describing their intentions, and were told no permitting was required. At that time Mr. Jimenez made it known they intended to create additional motor home parking and was told the necessary requirements which he followed. Mr. Jimenez stated he would not have paid \$6,000 for the driveway and the additional landscaping without that approval.

Nancy Espinoza, resident of Carroll Street, stated she hoped the applicant would be able to park in their driveway because it's much more visually appealing than before when the motor home was on the street and visibility was worse.

Kim Martin, resident of Carroll Street, supported approval of the applicant's variance and stated the vision triangle should be considered from the street, as opposed to the curb. She stated she drives that way every day and doesn't see any problem with safety.

Josh Martin, resident of Carroll Street, expressed support for the applicant explaining the motor home is much more out of the way now and is not a safety issue.

Jimenez (applicant) stated she hoped she would be allowed to keep her vehicle in the driveway and commented she would never have moved it there had she thought there might be a safety issue.

Public hearing closed: 7:59 p.m.

Councilmember Hamilton determined via Planning Officer Ryan the origin of the "vision triangle" was prior to 1963. Councilmember Hamilton noted many homes in that area were built in the 1940s and 1950s and questioned if they could be grandfathered in.

Councilmember Chu clarified the regulations for the vision triangle, determining shrubs, fences, structures, objects, etc. lower than three feet and trees with branches trimmed up above eight feet are acceptable.

Councilmember Chu stated the vision triangle is from the property line, not the street, and the speed limit does not affect the vision triangle. The definition of the vision triangle is the same no matter the width of the street, the sidewalk or the speed of the street.

Councilmember Whittum contended, in this case, applying the letter of the ordinance thwarts the intent of the code because housing the motor home on the street would create a more dangerous situation by blocking the line of sight.

MOTION: Councilmember Swegles moved, and Councilmember Howe seconded, to approve staff recommendation: Alternative No. 1 – Council upholds the decision of the planning Commission and denies the variance due to the inability to make required findings.

Councilmember Swegles acknowledged he has dealt with a similar situation in his mobile home community with large vehicles parking in the vision triangle. Ultimately, the vehicle height was restricted to six feet and Councilmember Swegles stated he could sympathize with the problem of encroachments into the vision triangle.

Regarding the Jimenez case, Councilmember Swegles stated he did not see any additional information than what was presented before the Planning Commission.

Councilmember Whittum opposed the motion, stating the problem he had with denying the variance was that the applicant could legally park the vehicle on the street, actually making the vision worse than if it were parked in the driveway. Councilmember Whittum asserted the intent of the ordinance was to provide for safety at intersections and by applying it literally in this case actually thwarts its intent.

Vice Mayor Moylan stated this entire issue arose from a complaint to staff with staff determining it was a vision triangle safety issue. Therefore, it's impossible to meet condition two, and in order to approve the variance, all three conditions must be met. Vice Mayor Moylan stated he was unable to meet any of the requirements; however, the appellant

made a good case for the vision triangle ordinance to be changed. Vice Mayor Moylan elaborated the proper way to handle the issue; instead of handing out variances all over the City, would be to revise the ordinance Citywide and notify appellants so they could come back and apply.

Vice Mayor Moylan urged his fellow Councilmembers to give a high rating to the vision triangle ordinance study issue when it comes back before Council next year.

Councilmember Chu agreed in most part with Vice Mayor Moylan, but stated he could meet at least two of the conditions. Councilmember Chu opposed the motion finding, like Councilmember Whittum, approving the variance is actually safer than allowing the vehicle to be parked on the street.

Mayor Spitaleri stated he was familiar with the area and the street and saw it more of a safety hazard by putting the vehicle on the street instead of in the driveway. Mayor Spitaleri stated he opposed the motion since in this particular case it is safer and does more for the public good to park the motor home in the driveway instead of on the street.

Mayor Spitaleri agreed with Vice Mayor Moylan the vision triangle issue has been a headache for many property owners throughout the City and suggested giving it a high ranking during next year's study issue process.

Councilmember Swegles clarified the vehicle would only be allowed to park in the street for 72 hours and signage could be posted ensuring that a vehicle of that size not park there, eliminating the safety issue. Councilmember Swegles admitted this is not an ideal situation, but there are other alternatives.

VOTE: 4-3 (Councilmembers Whittum, Chu and Mayor Spitaleri dissented)

3.     RTC 09-090           008-0482 Determine the Enforceability of CC&Rs for Violations to City Code and Project Approvals (Study Issue)

Planning Officer Trudi Ryan presented the staff report.

Councilmember Howe confirmed when the City approves a common interest sub-development, there is a certain assumption that garage spaces are available for parking. Additionally, Councilmember Howe asked if it would be easier for the City or for the homeowners' association (HOA) to enforce corresponding parking violations. Specifically, what would an HOA need to do compared to the City in order to inspect a garage for parking violations.

Planning Officer Ryan explained the City generally has more restrictions than an HOA.

City Attorney David Kahn noted the City is a governmental agency and is subject to Fourth Amendment restrictions in terms of private property. While an HOA is not subject to these Fourth Amendment restrictions, it could include in its covenants, conditions, and restrictions (CC&Rs) that anybody living within the development agrees to the HOA having the right of inspection.

Councilmember Chu left the dais at 8:27 p.m.

Councilmember Chu returned to the dais at 8:29 p.m.

Councilmember Swegles asked City Attorney Kahn if an HOA had the authority to tow improperly parked vehicles.

City Attorney Kahn explained it depends on the definitions in the homeowners association's CC&Rs. Kahn said it was his understanding most HOAs have the ability to tow vehicles, contingent upon the violation.

Councilmember Swegles queried who specifically would be given the authority for vehicle removal; a specific HOA board member or someone from the property management company.

Planning Officer Ryan informed Council that HOAs vary greatly in size, and generally larger complexes have professional management companies. Depending on what the property management company has been hired to do, they could be enforcing the HOAs CC&Rs.

Councilmember Chu asked about general parking requirements for these residential communities.

Planning Officer Ryan clarified the regulations have changed over time and are a combination of the style of parking available and the number of bedrooms per dwelling. For example, a two-car enclosed garage has a higher requirement than open parking, such as an underground garage.

Councilmember Chu asked if more complaints originate from newer developments.

Planning Officer Ryan answered newer developments are a bigger challenge than the older HOAs and more comments do arise from newer developments. New tenants may not understand the use of guest spaces or the association itself has not properly enunciated its parking rules and regulations. Because of these issues, last year Council required HOAs to have a parking management plan so parking could be more clearly specified.

Public hearing opened: 8:36 p.m.

Jim Griffith, a past HOA president, stated he supported the staff recommendations, options 1.A. and 1.B. and advocated the registration of future HOAs as an informational tool for the City.

Griffith noted HOAs often do not have the will to enforce rules and regulations. Griffith cited a personal example where incorrect information was given to the HOA by the developer and suggested more communication from the City to the HOA would help alleviate a number of problems.

Public hearing closed: 8:40 p.m.

MOTION: Councilmember Howe moved, and Councilmember Hamilton seconded, to approve staff recommendation: Options 1.A. and 1.B. – Council includes specific conditions of approval for new common interest developments to address common issues residents face, and directs staff to develop tools for homeowners' association education and assistance.

**with:**

direct staff to return to Council within three months with a checklist of what should be in CC&Rs and develop a plan to go back to the existing 200 homeowners' associations to provide an education process.

Councilmember Hamilton offered a friendly amendment to include on the checklist, a process to meet with a homeowners' association when there is a transition from the developer to the residents.

Councilmember Howe accepted the friendly amendment.

Vice Mayor Moylan offered a friendly amendment to incorporate the City policy that states every land use in the City is to provide its own parking – it cannot presume street parking availability.

Councilmember Howe accepted the friendly amendment.

VOTE: 7-0

4.     ORDINANCE     Adoption of Ordinance 2894-09 Adopting Green Building Standards by  
2894-09             Adding Definitions to Chapter 19.12 (Definitions); by Amending Certain  
                      Sections of Chapters 19.22 (Industrial Zoning Districts), 19.29 (Moffett  
                      Park Specific Plan District), 19.32 (Building Heights, Lot Coverages and  
                      Floor Areas) and 19.82 (Miscellaneous Plan Permit); and by Adding  
                      Chapter 19.39 (Green Building Regulations) to Title 19 (Zoning) of the  
                      Sunnyvale Municipal Code

City Attorney David Kahn presented the staff report.

Public hearing opened: 8:49 p.m.

Jim Griffith passed along a suggestion from Barbara Fukumoto stating if a “green” checklist could be developed, it could be used as an educational tool for residents and the City wouldn’t need to wait until January 1, 2010, for the ordinance to take affect.

Councilmember Howe asked City Manager Gary Luebbbers if the City could implement a “green” checklist without further direction from Council and include the information in his next report to Council.

Councilmember Swegles suggested the checklist, if available, be passed out at the Community Conversation on Climate Change event.

Arthur Schwartz reiterated his comments from a previous Council meeting and stated he opposed incentives for “going green.” Schwartz asserted that cost savings from being green should be incentive enough.

Public hearing closed: 8:53 p.m.

MOTION: Vice Mayor Moylan moved, and Councilmember Howe seconded, to approve staff recommendation: Council approves the second reading of Ordinance No. 2894-09.

**with:**

if possible, get the information out earlier to homeowners per earlier discussion.

Councilmember Hamilton opposed the motion stating even though she supported the idea, she agreed with the speaker and did not consider incentives necessary.

VOTE: 5-2 (Councilmembers Whittum and Hamilton dissented)



5. PRESENTATION City Manager – Review of the City’s Current Fiscal Status and the Budget Implications and Impact on the 20-Year Financial Plan

City Manager Gary Luebbers gave the presentation.

Vice Mayor Moylan commented the presentation was very encouraging, but wanted to know the precise mix of cuts/cost savings and the source of added potential revenues.

City Manager Luebbers explained some of that is money from the Resource Allocation Plan as well as expecting the economy to improve over the next 18 months to two years.

Vice Mayor Moylan suggested considering the Utility Users Tax (UUT) as another possible revenue generator since Sunnyvale is way behind other cities in this area.

City Manager Luebbers stated staff considered the UUT and determine a low potential estimate of generating \$3 million.

Mayor Spitaleri cautioned the Public Employee Retirement System (PERS) projected a \$5.4 million increase. Mayor Spitaleri stated he’s been working on the Employee Relations Committee with PERS, and a PERS representative stated there wasn’t going to be any rate increases for 2010. Mayor Spitaleri didn’t want misinformation that could be incorrectly construed and cause a lot of concern. Mayor Spitaleri understood the volatility of making projections, but if possible wants to base his decisions on well-informed, substantiated data.

Mayor Spitaleri stated he liked the city manager’s plans, aggressive movement and the direction the City is moving. Mayor Spitaleri agreed with Vice Mayor Moylan’s idea to consider increasing the UUT.

City Manager Luebbers stated he shared the concern about the validity of the PERS data and noted Director of Finance Mary Bradley was significantly involved with PERS.

Director of Finance Mary Bradley commented prior to the end of last fiscal year, PERS alerted the City, through an employee circular, that due to investment problems they expected an increase between 2 to 5 percent of salary. Staff was present at a discussion where the PERS information was reiterated. The information was then checked with the City’s consulting actuary and verified the numbers and, to check further, contacted the City’s PERS actuary and they validated the numerical data.

Councilmember Chu verified Sunnyvale’s sales tax dollars are largely business-to-business, and Director Bradley explained how that information was determined.

Councilmember Chu asked about the \$2.5 million savings in operating efficiencies and asked if the savings were immediate or expected to optimize over a couple years.

City Managers Luebbers answered that as a projection, it is an annual, on-going savings starting immediately.

Councilmember Chu asked if the City had money set aside for the Sunnyvale Works programs.

City Manager Luebbers responded those funds are already-budgeted monies that have carried over from a variety of projects.

Councilmember Chu stated he was concerned the Sunnyvale community would only benefit if the proposed projects were given to Sunnyvale-based businesses.

City Manager Luebbers explained doing the Sunnyvale Works projects now, with the downturn in the economy, gives the City significant cost savings. The citizens of Sunnyvale would be the beneficiaries when the projects are completed; however, to maximize the positive financial impact, limiting businesses to Sunnyvale wouldn't be productive.

Councilmember Howe stated he wished the Sunnyvale Works programs the best, but requested to see the cash flow going into these projects.

Councilmember Whittum thanked the city manager for the great presentation and asked about specifics regarding the City's Resource Allocation Plan and potential pay reductions.

Councilmember Swegles inquired if the City would receive any of the 1 percent increase in the sales tax.

Director Bradley explained the City's portion would not increase, however, the City will see an indirect benefit and in time, with the gasoline tax increases, Sunnyvale will receive a portion of that tax.

City Manager Luebbers addressed pay reductions, stating he will be speaking with the bargaining units to see if they could help the City; the senior managers have already stipulated they will forgo any raises for this year to help address the City's financial situation.

City Manager Luebbers thanked Grace Leung and Drew Corbett for their extraordinary help and announced to Council they are examples of the dedicated employees throughout the organization.

Councilmember Swegles left the dais at 9:59 p.m.

Councilmember Hamilton left the dais at 10:00 p.m.

Councilmember Swegles returned to the dais at 10:01p.m

Councilmember Hamilton returned to the dais at 10:04 p.m.

Councilmember Howe left the dais at 10:06 p.m.

Councilmember Howe returned to the dais at 10:07 p.m.

## **COUNCILMEMBER REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS**

Councilmember Swegles mentioned his Housing and Human Services talk and that there is a great need for affordable housing. Councilmember Swegles noted interesting ways other cities are looking at low-income housing and how Below Market Rate (BMR) programs are being phased out.

Vice Mayor Moylan reported on current activities with the Stevens Creek Trail, noting he is still awaiting staff to come before Council with a suggested General Plan amendment which would allow Sunnyvale to talk with the other cities. As it currently reads, our General Plan states we shall not have the Stevens Creek Trail within one inch of the City of Sunnyvale, thereby precluding any discussion. Vice Mayor Moylan noted the cities of Mountain View, Los Altos, Sunnyvale and Cupertino have groups set up, including a Councilmember and staff from each city, to discuss what each city would like to see happen.

Councilmember Chu, a voting member of the Metropolitan Transportation Commission (MTC), announced MTC is in the final stages of adopting the \$217 billion, 25-year Regional Transportation Plan.

Councilmember Chu stated the high speed rail public comments period ended April 6, 2009, and affirmed the City of Sunnyvale submitted its letter and commented on it.

Mayor Spitaleri, a member of the Employee Relations Committee for the National League of Cities, mentioned the committee is exploring how the Public Employees' Retirement System (PERS) can be changed to reduce costs, including considering new legislation to address workman's compensation revisions and bills.

Mayor Spitaleri stated he attended the North County meetings in Palo Alto regarding high speed rail, and asked City Attorney Kahn about the status of the letter signed by all the mayors and the non-binding Memorandum of Understanding (MOU). Mayor Spitaleri requested an update, since it's a collaborative effort between the cities affected and wanted to know if Sunnyvale should continue to be involved in the discussions.

Arthur Schwartz, a Restoration Advisory Board for Moffett Field alternate delegate, briefed Council on the Hangar One discussion. Schwartz explained NASA agreed to take over the hangar, but their terms are such that the Navy doesn't have the money to meet the conditions. Therefore, negotiations have stalled, and there is about a \$30 million difference between the two agencies.

## **NON-AGENDA ITEMS & COMMENTS**

Council:

MOTION: Councilmember Whittum moved, and Councilmember Swegles seconded, to schedule an item on an upcoming agenda to consider use of summary minutes, closed captioning and long-term webcast archiving.

Councilmember Hamilton stated she did not believe long-term webcast archiving was necessary since the City was already doing it.

Councilmember Whittum supported the idea of detailed minutes if they were free; however, there is a high cost of time and money spent on preparation of minutes. Councilmember Whittum added webcasting was a great record and with a low-cost of \$25,000 for closed captioning, Council would save money and have their text-based archive.

Councilmember Chu suggested the summary minutes, closed captioning and long-term webcast archiving are three separate issues and should be voted on separately; and questioned if they were budgetary items or study issues.

Councilmember Hamilton opposed the motion, stating the detailed minutes are extremely valuable and she reads the meeting minutes from all the boards and commissions and finds them incredibly useful, whereas summary minutes are so devoid of context that they are not useful. Councilmember Hamilton noted only Council meetings and Planning Commission meetings are webcast.

Vice Mayor Moylan opposed the motion, agreeing bare bones minutes are useless, but understood it was cheaper to do summary minutes. However, detailed minutes save time not only for Council but for everyone in the City who wants to find out what happened at a specific meeting. Vice Mayor Moylan said the detailed minutes are a great service despite the cost, and agreed with Councilmember Chu these are three separate items.

Councilmember Swegles stated he's received input from other committees he's served on and has spoken to other city clerks who informed him that summary minutes with the ability to use webcasting as follow up is common practice and they are amazed Sunnyvale is not using abbreviated minutes due to the cost and time factors.

Councilmember Whittum asked staff to provide information about the amount of time spent on preparing minutes.

Councilmember Whittum, speaking in reference to separate issues, noted his motion is to place the items on an agenda and, once on the agenda, Council could determine how to handle each item.

VOTE: 2-5 (Vice Mayor Moylan, Mayor Spitaleri and Councilmembers Chu, Howe and Hamilton dissented)

Motion failed.

Councilmember Howe and Councilmember Swegles declared their sponsorship for a study issue to consider roundabouts, related to cost-effectiveness and air pollution.

Councilmember Swegles informed Council about his upcoming medical procedure and noted he may not be available for upcoming interviews and Council meetings.

Councilmember Whittum, at the encouragement of a colleague, prepared a trip report while at the National League of Cities and mentioned if anyone is interested, the report is available as a PDF file.

Councilmember Whittum submitted a written Public Records Act request for a list of entire compensation, including salary, benefits, bonuses and overtime, paid to all Sunnyvale employees, listed by employee name and position, for calendar year 2008.

Staff: None

**INFORMATION ONLY REPORTS/ITEMS**

- Tentative Council Meeting Agenda Calendar
- Moffett Field Restoration Advisory Board Meeting Summary of March 12, 2009
- Draft Minutes of Arts Commission Meeting of March 18, 2009
- Draft Minutes of Bicycle and Pedestrian Advisory Commission Meeting of March 19, 2009
- Study Session Summary of March 24, 2009 – California High Speed Rail Project San Francisco-San Jose Segment
- Draft Minutes of Housing and Human Services Commission Meeting of March 25, 2009

**ADJOURNMENT**

Mayor Spitaleri adjourned the Council meeting at 10:31 p.m.

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Kathleen Franco Simmons  
City Clerk

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Date